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3 PLEASANT GROVE CITY  
4 PLANNING COMMISSION MINUTES  
5 May 28, 2015  
6

7 **PRESENT:** Vice Chair Levi Adams, Commissioners Scott Richards, Lisa Coombs, Amy  
8 Cardon, Dallin Nelson, and Jennifer Baptista  
9

10 **STAFF:** City Planner Royce Davies, Planning Tech Barbara Johnson, City Engineer Degen  
11 Lewis and NAB Chairperson Libby Flegal  
12

13 Chair Drew Armstrong and Commissioner Gary Yeates were excused, Commissioner Peter  
14 Steele was absent.  
15

16 The meeting was called to order at 7:00 p.m.  
17

18 **Commission Business:**  
19

- 20
  - **Pledge of Allegiance:** Commissioner Baptista led the Pledge of Allegiance.
  - **Opening Remarks:** Commissioner Richards gave the opening remarks.  
23

24 Prior to approval of the agenda, Vice Chair Adams announced that agenda items 3, 7, and 8 had  
25 been continued. He also stated that Jennifer Baptista would be voting as an alternate.  
26

27

- **Agenda Approval:**

  
28

- 29
  - **MOTION:** Commissioner Coombs moved to approve the written agenda  
30 as public record, with the continuation of Items 3, 7, and 8. Commissioner  
31 Nelson seconded the motion. The Commissioners unanimously voted  
32 “Aye”. The motion carried.  
33

34

- **Staff Reports:**

  
35

- 36
  - **MOTION:** Commissioner Richards moved to approve the Staff Reports  
37 as part of the public record. Commissioner Nelson seconded the motion.  
38 The Commissioners unanimously voted “Aye”. The motion carried.  
39

- **Declaration of conflicts and abstentions from Commission Members:** There were none.

**ITEM 1 – Public Hearing to consider the request of Daniel Thomas to amend the Pleasant Grove City Code Section 10-14-24-3-E to remove the requirements for drive aisles dividing parking areas of 100 spaced, 50,000 square feet or more and to remove the requirement to install a six-foot sidewalk along the sides of internal drive lanes. SAM WHITE’S LANE NEIGHBORHOOD**

City Planner, Royce Davies, presented the staff report and stated that this item came forward from the Development Review Committee a few weeks prior at the time of review of a new development located at the crossroad of Pleasant Grove Boulevard and North County Boulevard, in the Grove Zone, Interchange Subdistrict. Mr. Davies stated that the drive aisles are required by the Code, and identified problem areas on the site plan. He stated that the doTERRA building also experienced issues with this requirement, but what they have done meets in the intent of the Code, and shows good urban design. Staff recommended approval of the application.

Mr. Davies clarified that only the Interchange Subdistrict of the Grove Zone requires this by Code. He also stated that they would be removing this requirement from the Code because it has caused problems for potential developers in the subdistrict and they had found that other developments had done well without meeting that requirement.

The applicant, Daniel Thomas, stated that he works for St. John Properties and gave his business address as 299 South Main Street, Suite 1300, in Salt Lake City. He stated that Mr. Davies had covered all of the important information and he had nothing further to add.

Vice Chair Adams opened the public hearing. There were no public comments. Vice Chair Adams closed the public hearing.

**MOTION:** Commissioner Richards moved that the Planning Commission recommend that the City Council APPROVE the proposed text amendment removing requirement for drive aisles to separate every 100 parking spaces into 55,000 square feet or more and associated sidewalk requirements in City Code Section 10-14-24-3-E, in the Interchange Subdistrict of the Grove Zone; and adopt the exhibits, conditions, and findings contained in the staff report. Commissioner Baptista seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**ITEM 2 – Public Hearing to consider the request of Craig Smith to rezone approximately 12.32 acres from R-R (Rural Residential) to R1-12 zone (Single Family Residential) on property located at approximately 1640 North 300 East in the R-R (Rural Residential) Zone. BIG SPRINGS NEIGHBORHOOD.**

Mr. Davies began the presentation by showing aerial photographs and a map from the General Plan. He reported that the subject property is located in an area designated as low density in the General Plan, with R1-12 or R1-15 zoning. The applicant was requesting that the property be

1 rezoned from R-R (Rural Residential) to R1-12, which allows for a minimum lot of 12,000  
2 square feet, which is just over one-third of an acre. The applicant intends to develop a  
3 subdivision in three phases and has promised certain lots to his family members, some of whom  
4 are choosing not to develop at this time. Mr. Davies assured the Commission that although the  
5 proposed zoning allows for 12,000 square-foot lots, most of the developers have proposed much  
6 larger lots, many of which will exceed 15,000 square feet. Because the request is supported by  
7 the General Plan, staff recommended approval.  
8

9 In response to a question from Commissioner Richards, Mr. Davies indicated that the property to  
10 the north is zoned R1-20 and the property to the south is R1-10. It was noted that many of the  
11 proposed lots will actually be larger than the surrounding lots.  
12

13 The applicant, Lars Anderson, gave his business address as 986 West 9000 South in West Jordan  
14 and stated that he works for an engineering firm called PEC. Mr. Anderson stated that he would  
15 be developing the section of land dedicated to the Smith family. He presented a site plan that  
16 identified the size of each lot. Because some of the family members would like to begin  
17 construction immediately, Mr. Anderson would be presenting the site plan later that evening as  
18 part of agenda item number 6. Mr. Anderson also indicated that the lot sizes will be larger than  
19 the minimum. They worked with the City's Engineering Department to design a roadway that  
20 would allow for a smooth traffic flow.  
21

22 Vice Chair Adams opened the public hearing.  
23

24 Stuart Eastman gave his address as 355 East 1640 North and expressed his appreciation for the  
25 property owner's intent to keep a similar atmosphere in the area. He was, however, concerned  
26 about the wildlife that has made a home of this open field. Mr. Eastman also wanted more  
27 information about the developers, construction companies, dust control, water flow, and existing  
28 trees. His final concern pertained to the possible height of the proposed homes. Reference was  
29 made to Attachment #1, a letter from Mr. Eastman, explaining his concerns in more detail.  
30

31 Vice Chair Adams reminded Mr. Eastman that the Commission's jurisdiction is somewhat  
32 limited, as the application is only making a request to rezone.  
33

34 Steve Ruff, who resides at 1817 North 275 East, was present representing 38 individuals from  
35 the area who are opposed to the rezoning. He presented a petition containing the signatures of  
36 these individuals, which was identified as Attachment #2. Mr. Ruff stated that if the zoning is to  
37 be changed, it should be changed to something with a lower density, such as R1-20. He stated  
38 that he spoke to a friend who is a Traffic Engineer in the Salt Lake area who gave him statistics  
39 regarding increased traffic flow, which is also an area of concern for the residents. Their final  
40 concern is that although the developers say they will build lots that are larger than the minimum  
41 lot size; this is not always the case.  
42

43 Jan Van Orman gave his address as 1848 North 275 East and began by thanking the Planning  
44 Commission for their assistance in the tough issues. He prayed that they will be wise and  
45 prudent in this decision. He expressed his desire for a zoning of R1-20, which would increase

1 the attractiveness of the community and possibly increase the tax base. Mr. Van Orman urged  
2 the Commission to ensure that the little land the City has left be developed in an attractive and  
3 beneficial way, and consider the long-term future of the City.

4  
5 Larry Huntsman, who resides at 1849 North 275 East, was concerned that an increase in traffic  
6 down 1800 North would make the street more dangerous than it already is. Mr. Huntsman also  
7 worried about the effect the new development would have on his property value. He felt that  
8 smaller lots attract lower-income families and renters and the homes aren't maintained very well.

9  
10 Sasha Welcker gave her address as 556 East 1300 North and expressed her concern with the  
11 actions of developers. She previously lived in an area that was approved for R1-15 zoning and it  
12 was changed to R1-10. She wished the lot had been larger and did not want this to happen in this  
13 location as well.

14  
15 Mr. Huntsman spoke again regarding the potential for smaller lots to bring in lower income  
16 families. He was still concerned that the developers would not follow through with the plan  
17 presented during that meeting. He feared that they could change their plan and develop the  
18 smallest lot size allowed.

19  
20 Jesse Brimhall, who resides at 1476 West Elk View Circle in Mapleton, stated that he was the  
21 developer hired to develop the section dedicated to some of the Smith family members. He  
22 informed the public that he submitted an application for plat approval, which was Item 6 on the  
23 agenda. Mr. Brimhall assured the residents that they were being very honest with their  
24 application, and all of the lots would be a one-third acre or larger. Their intention was to build a  
25 subdivision that would be an attractive and beneficial asset to Pleasant Grove.

26  
27 Josh Hall gave his address as 1844 North 200 East and stated that it was important to understand  
28 what the potential lot count would be with a rezone to R1-12. Considering the acreage of the  
29 property, there was a potential for 44 lots.

30  
31 Mr. Brimhall addressed Mr. Hall's concern, stating that only 10 lots were being proposed. His  
32 development would have seven lots and there are three other family lots. Mr. Brimhall indicated  
33 that there were a few other pieces of property that the family members decided not to develop at  
34 this time. There would more likely be 16 lots in total and those lots would be a mix of one-third  
35 acre or larger.

36  
37 Carla Ruff, who resides at 1817 North 275 East, asked about the animal rights that currently exist  
38 on the property. Mr. Davies stated that the animal rights would be grandfathered and the owner  
39 can maintain the horses there as long as they would like. Mrs. Ruff also expressed concerns with  
40 traffic increases and safety issues.

41  
42 Mr. Van Orman addressed the Commission again and gave a brief history of how his family  
43 came to settle in Pleasant Grove. He expressed his desire to continue to maintain the strong  
44 community bond that they have experienced here. He was concerned that the new development  
45 will detract from the character of the community.

1 Emily Berry gave her address as 1886 North 320 East and informed the Commission that her son  
2 was recently hit by a car while crossing 1800 North and felt that the new development would  
3 only increase the traffic on the road making it more dangerous. Mrs. Berry expressed her love  
4 for Pleasant Grove, but was concerned about low income families coming in. She would rather  
5 see money coming into the City, which would be a greater asset.

6  
7 Judith Eastman, who resides at 355 East 1640 North, stated that she and her husband recently  
8 moved to Pleasant Grove to be near their children. Mrs. Eastman lives on a smaller lot, but hers  
9 and those of her neighbors are well kept. She understands that an owner has a right to develop  
10 their property, and she doesn't want to limit the developer. She wanted to be sure that the  
11 community remains beautiful and desirable.

12  
13 Catherine Tyler gave her address as 1818 North 275 East and gave an example of the  
14 neighborhood she previously resided in where the majority of the residents were opposed to the  
15 development but it was approved and built and did not end well for anyone. Mrs. Tyler wanted to  
16 be sure this does not happen here in Pleasant Grove.

17  
18 There were no further public comments. Vice Chair Adams closed the public hearing.

19  
20 Commissioner Baptista addressed the public about some of their concerns, stating that the  
21 Commission has a limited scope they can work within. The applicant requested a zone change  
22 that is within the General Plan and meets all requirements, so the Commission would not have  
23 any factual evidence to base a denial on. The Commission took note of the resident's concerns,  
24 and they will be considered, but no factual evidence has been produced that would prevent the  
25 item from being approved. Commissioner Baptista agreed that there were some good concerns  
26 expressed, but some facts, findings or reports were needed. She suggested that those be acquired  
27 and presented to the City Council when this item was heard by them. She also stated that if the  
28 application were denied based on these allegations and the applicant chose to appeal the  
29 decision, the City would not be able to support their decision and would lose the case.

30  
31 City Engineer, Degan Lewis, spoke to Mr. Ruff regarding the engineer he spoke to regarding a  
32 traffic increase and asked if a report had been generated. There had been no study done, just  
33 estimated numbers given. Engineer Lewis indicated that that City's Transportation Master Plan  
34 had already taken into account the possible rezone and the roads were built to the maximum  
35 density to allow for the increase in traffic. He also stated that there would eventually be a signal  
36 in the area to accommodate for the traffic flow.

37  
38 Commissioner Richards briefly looked at the information for Item 6 regarding the first phase of  
39 the subdivision. He found that the average acreage of the proposed subdivision is .52 acres,  
40 which is greater than what you would normally see in an RR Zone. He also said that only eight  
41 out of the 18 lots are one-third acre. The remaining lots are larger than the minimum. After  
42 looking into the proposal, Commissioner Richards stated that the plans are more consistent with  
43 an R1-15 Zone and it seemed that the layout was not a bad as the residents made it appear. He  
44 also explained that the Commission cannot deny a property owners ability to develop their  
45 property because that would be limiting their property rights.

1 Commissioner Nelson agreed with Commissioner Richards and asked why the application was  
2 for the R1-12 zone rather than the R1-15 if they are following those requirements. Mr. Davies  
3 stated that the Commission could request that the lower density zoning be considered.  
4

5 Vice Chair Adams commented that the Commissioners have discussed some good information,  
6 but Commissioner Baptista was correct in saying that they don't have factual grounds to deny the  
7 application. The Commission always considers the health, safety and welfare of the community  
8 when making these decisions and they have not received evidence proving that this application  
9 would threaten that. He also expressed that he did not believe one-third acre lots attract low-  
10 income families. Troublesome people can be found in any size of lot or home.  
11

12 Commissioner Cardon reiterated the concern that the developer may not follow the lot plan after  
13 the rezoning is granted and choose to develop the smallest lots allowed. Commissioner Richards  
14 felt that based on the spirit of the subdivision being submitted, the rezoning should be approved.  
15

16 Commissioner Cardon added that the road proposed in the plan would actually help the traffic  
17 flow rather than make the current road more dangerous.  
18

19 Vice Chair Adams reopened the public hearing and asked the residents to keep their comments  
20 brief.  
21

22 Mrs. Eastman asked if anyone had considered that the health, safety, and welfare could be  
23 threatened by the General Plan.  
24

25 Commissioner Baptista addressed this by stating that the item at hand was not to approve the  
26 development itself, just to rezone the property. The Commission has to abide by the laws  
27 outlined but they will be able to do more when the actual site plan is presented.  
28

29 Mr. Ruff asked why the zone had to be changed at all, and suggested that the Commission  
30 consider tabling the item so that they would have more time to produce factual evidence for their  
31 claims and concerns.  
32

33 Commissioner Baptista restated that the property rights of the owner are substantial. Because  
34 their request falls within the plan, they would not be able to deny the request with sufficient  
35 evidence to the contrary. She reminded the public that they would still be able to go before the  
36 City Council to voice their concerns and present documentation.  
37

38 The developer, Mr. Brimhall, addressed some of the concerns brought up by the residents. He  
39 again explained the situation between Mr. Smith and the family members to whom he promised  
40 property. He stated that the application is for R1-12 rather than R1-15 zoning due to the  
41 proposed road through the property. In order to tie into 320 East and 270 East, which the Master  
42 Plan requires, there have to be a few lots that are one-third acre in size. They would not be able  
43 meet all of the requirements for an R1-15 zoning. Mr. Brimhall stated that they have done  
44 everything that has been asked of them by the zoning ordinance and they have presented a plan  
45 that meets the intent of the General Plan.

1 There were no further public comments. Vice Chair Adams closed the public hearing.

2  
3 **MOTION:** Commissioner Baptista moved that the Planning Commission recommend that the  
4 City Council APPROVE the proposed request of Craig Smith to rezone approximately 12.32  
5 acres located at approximately 1640 North 300 East from the RR (Rural Residential) Zone to R1-  
6 12 (Single Family Residential) Zone, and adopt the exhibits, conditions, and findings contained  
7 in the staff report. Commissioner Richards seconded the motion. The Commissioners  
8 unanimously voted “Aye”. The motion carried.

9  
10 **MOTION:** Commissioner Coombs moved that the Planning Commission take a five-minute  
11 recess. Commissioner Richards seconded the motion. The Commissioners unanimously voted  
12 “Aye”. The motion carried.

13  
14 The meeting reconvened at 8:29 p.m.

15  
16 **ITEM 3 –** Public Hearing to consider the request of John Harr to rezone one acre from the Grove  
17 Zone Commercial Sales subdistrict to the Grove Zone Mixed Housing subdistrict on property  
18 located at approximately 100 South 1300 West in the Grove Zone Commercial Sales Subdistrict.  
19 **SAM WHITE’S LANE NEIGHBORHOOD** *\*Continued to the June 11, 2015 Meeting.*

20  
21 **ITEM 4 –** Public Hearing to consider the request of Rich Warburton for a Conditional Use  
22 Permit to allow a waiver of protest that would waive the requirement for street improvement  
23 installation on property located at approximately 921 East 100 North in the R1-9 (Single Family  
24 Residential) Zone. **MONKEY TOWN NEIGHBORHOOD.**

25  
26 Mr. Davies began his presentation by informing the Commission that City Code requires street  
27 improvements be installed, if they are not already present, when an applicant comes forward for  
28 a building permit. This is the case with the applicant, Rich Warburton, who is applying for a  
29 conditional use permit to allow a waiver of protest that would waive the requirement for street  
30 improvement installation on his property. Mr. Davies presented an aerial photograph of the  
31 property and indicated that the property improvements have already been installed along 100  
32 North, but not along 900 East. There is nothing on the opposite side of that street and a City  
33 water tower is located at the end of the road. Staff and the Engineering Department  
34 recommended denial of the application to ensure property drainage and consistency. Mr. Davies  
35 stated that they may be seeking a variance as the road is narrow and the property street  
36 improvements would encroach on the properties if done according to the Code standards.

37  
38 The applicant, Richard Warburton, gave his address as 1025 East 100 North. He explained the  
39 reasoning behind this application. First, the two property owners who would be affected by this  
40 requirement have signed a letter stating that they do not want a sidewalk along 900 East, as there  
41 is no through traffic, see attachment #3. They are not opposed to making the area look nice, but  
42 they do not see the need for it. The improvements would also require the removal of several old  
43 trees in the area.

44  
45 Vice Chair Adams opened the public hearing.

1 Richard Johnston gave his address as 345 North 700 East and stated that his mother is in the  
2 process of purchasing this property and is one of the owners who signed the letter as stated by  
3 Mr. Warburton. In addition, she fears that the installation of a sidewalk will invite people onto  
4 the public property and the water tower.

5  
6 Dave Monson, who resides at 924 East 100 North, informed the Commission that when the street  
7 was improved originally, the City considered more improvements on 900 East. They were  
8 concerned about the sidewalks leading to the tower and the removal of the maple trees, so they  
9 eased up on that requirement. Mr. Monson saw no need for sidewalks on that street.

10  
11 Irene Johnston gave her address as 1719 South 240 East in Orem and stated that she would much  
12 rather have trees there than a sidewalk. No one was in favor of the sidewalk and it would be an  
13 unnecessary expense.

14  
15 There were no further public comments. Vice Chair Adams closed the public hearing.

16  
17 Commissioner Cardon stated that she is normally in favor of putting in sidewalks and finishing  
18 these kinds of areas, but she did not see the need for it in this particular case.

19  
20 There was a discussion between the Commission and staff regarding the variance that Mr.  
21 Davies mentioned. Commissioner Richards remarked that the property owners should know all  
22 of the facts and felt that the issue should be tabled until further information is obtained.

23  
24 Commissioner Cardon asked Mr. Johnston about the improvements to the home and how far this  
25 would set his mother back if they tabled the discussion. Mr. Johnston stated that this process had  
26 been ongoing for the past six months. It was noted that Mrs. Johnston cannot move in until this  
27 is complete. They would prefer a decision be made so that she can move in as soon as possible.

28  
29 Vice Chair Adams understood it was a difficult situation but an issue of this nature should be  
30 taken on a case-by-case basis. In this instance, he felt that the sidewalk requirement would  
31 negatively affect the residents and was unnecessary.

32  
33 **MOTION:** Commissioner Richards moved that the Planning Commission APPROVE the  
34 proposed Warburton Waiver of Protest Conditional Use Permit to waive standard street  
35 improvement requirements at 921 East 100 North, in R-R (Rural Residential) Zone; and adopt  
36 the exhibits, conditions, and findings contained in the staff report. Approval was based on the  
37 following findings:

- 38  
39 1. There are only two lots with access to 900 East, with no traffic there;  
40  
41 2. There is unknown information regarding the width of the road.  
42

43 Commissioner Cardon seconded the motion. The Commissioners unanimously voted "Aye".  
44 The motion carried.  
45



1 **ITEM 5** – Public Hearing to consider the request of Ryan Warner for a Conditional Use Permit  
2 to allow a 2,000 square foot accessory garage to exceed the footprint size of his home on  
3 property located at 1110 West 1800 North in the R1-20 (Single-Family Residential) Zone.  
4 **NORTH FIELD NEIGHBORHOOD.**

5  
6 *NOTE: Commissioner Nelson excused himself from the remainder of the meeting.*  
7

8 Mr. Davies presented the staff report regarding a conditional use permit to allow an accessory  
9 garage to exceed the footprint of the home, without the garage, on property located at 1110 West  
10 1800 North. The R1 zones do not allow for accessory building of any kind to exceed the  
11 footprint of the home without a variance or waiver. Mr. Davies stated that the proposed garage  
12 is 2,000 square feet, while the existing home is approximately 1,320 square feet, without garage.  
13 Another ordinance requirement is that accessory structures cannot exceed 60% of the lot size.  
14 The proposal does not exceed that and all setback requirements would be met. Mr. Davies  
15 confirmed that the 60% is an inclusion of all accessory building on site.  
16

17 The applicant, Ryan Warner, gave his address as 1877 North 1010 West. He added that the other  
18 accessory structure on the photograph is an old barn that would most likely be torn down in the  
19 near future. He noted that he also owns the property to the north. Upon request from  
20 Commissioner Richards, Mr. Warner stated that the new structure would be used as a shop  
21 garage, and would be approximately 14 feet in height.  
22

23 Vice Chair Adams opened the public hearing.  
24

25 Byron Lawrence, who resides at 1842 North 1150 West, declared that he does not have an issue  
26 with the building itself, but with the strip of land between the two properties. He and Mr.  
27 Warner have discussed installing a fence, but both are unsure of where the fence should be  
28 placed. Mr. Lawrence also presented a signed letter addressing his concerns, which was  
29 described as Attachment #4.  
30

31 Upon research, Mr. Davies discovered that the strip of land belongs to Hannah Beth Matthews,  
32 whom Mr. Lawrence identified as the previous owner of his property and is deceased. It was  
33 suggested that the current owner contact the relatives of Ms. Matthews regarding the parcel, and  
34 then submit an application to combine the two parcels into one.  
35

36 Mr. Fowler gave his address as 1068 West 1800 North and asked the applicant for further  
37 explanation of what the building would be used for. He wanted to be sure that Mr. Warner  
38 would not be doing maintenance on commercial equipment or anything of that nature. Mr.  
39 Warner confirmed that he would be using it for storage, and possibly to work on personal  
40 vehicles.  
41

42 Bob Bingham, who resides at 1585 North Murdock Drive, commented that the applicant and  
43 Mr. Lawrence should address this land issue with the County Recorder's Office.  
44

45 There were no further public comments. Vice Chair Adams closed the public hearing.

1 The Commission felt there were no significant issues with the application and thanked the  
2 applicant for working things out with his neighbor prior to submitting his request.

3  
4 **MOTION:** Commissioner Coombs moved that the Planning Commission APPROVE a  
5 conditional use permit for Ryan Warner to construct an accessory building exceeding the  
6 footprint of the primary structure less the garage in the R1-20 Zone, and adopt the exhibits,  
7 conditions, and findings contained in the staff report. Commissioner Baptista seconded the  
8 motion. The Commissioners unanimously voted “Aye”. The motion carried. Commissioner  
9 Nelson was not present for the vote.

10  
11 **ITEM 6** – Public Hearing to consider a 23-lot subdivision called Mahogany View being  
12 approximately 12.32 acres located at approximately 1640 North 300 East in the R-R (Rural  
13 Residential) Zone. **LITTLE DENMARK NEIGHBORHOOD.**

14  
15 Mr. Davies presented the staff report and gave a brief history of the parcel. He explained that  
16 there is one existing structure, which did require a variance because it had been illegally  
17 subdivided previously. This subdivision was mandated in order to create a legal subdivision  
18 here. He kept the presentation brief, and stated that this issue had been discussed extensively  
19 along with Item 2. Mr. Davies confirmed that all of the lots meet the minimum lot size and that  
20 there was a small issue with the lot width for two of the lots, however, staff was addressing the  
21 problem. The request was found to meet the zoning requirements, provided that the zoning is  
22 changed to R1-12. Staff recommended approval of the application.

23  
24 Commissioner Baptista commented that the staff report requests the item be continued and asked  
25 if staff had changed its position on that. Mr. Davies stated that they wanted to continue based on  
26 the lot width issues, but Community Development Director, Ken Young, indicated that it would  
27 not be necessary because the issue would be resolved by the time the application went before the  
28 City Council for final approval. If any adjustments are made, they will be minor. Mr. Davies  
29 gave a brief report regarding the two lots in question and stated that Lot 201 is required to have a  
30 90-foot width, however, they are shy of that by less than 10 feet. A variance would not be  
31 granted in this case, so other adjustments would have to be made.

32  
33 The applicant, Lars Anderson, gave his work address as 986 West 9000 South in West Jordan  
34 and stated that the company name is PEC Engineering. He addressed the lot width issues and  
35 stated that they were unaware that this was a problem until tonight. He was willing to do  
36 whatever it takes to fix this issue. Mr. Anderson stated that the main purpose in showing the  
37 preliminary plat was to show how the roads will line up and to show lot sizes. He identified the  
38 three building phases on a map.

39  
40 Vice Chair Adams opened the public hearing.

41  
42 Stuart Eastman, who resides at 355 East 1640 North, asked if the application was for 18 or 23  
43 lots, as there was a discrepancy. Mr. Anderson confirmed that there would be 18 lots. Mr.  
44 Eastman also asked the City Engineer to explain what water rights are associated with this  
45 subdivision, which Engineer Lewis addressed briefly.

1 Steve Ruff gave his address as 1817 North 275 East and asked what areas were being developed  
2 and which ones were being delayed. The applicant clarified the request on the map displayed.  
3 He also asked a question regarding sidewalks along 1800 North.

4  
5 Jan Van Orman gave his address as 1848 North 275 East and expressed concern that an entire  
6 community was upset about this proposal. He felt things would have fared better if they had had  
7 the opportunity to talk with Mr. Smith about their concerns. As it is now, he felt that his  
8 opinions were not being considered. Mr. Van Orman also hoped that the Commission would act  
9 as a mediator between the applicant and the other individuals with concerns. He requested that  
10 the issue be tabled so that the community could discuss this issue together.

11  
12 Josh Hall, of 1844 North 200 East, still harbored concern about the size of the lot and the  
13 potential for them to become rental homes. Mr. Brimhall assured him that their intent was to  
14 develop homes for sale, not for rent, but stated that owners have the right to rent them out if they  
15 chose.

16  
17 Scott Chapel gave his address as 1813 North 320 East and commented that he was originally  
18 opposed to the subdivision, however, as he has been able to see that actual plan and hear the  
19 discussions, he changed his opinion. He commented that the plans looked good and the  
20 subdivision will be attractive. Mr. Chapel stated that the residents should realize that there were  
21 likely other people opposed to their own neighborhoods being built and they turned out to be a  
22 wonderful community.

23  
24 It was stated by the Commissioners that whatever was approved for this plat approval would be  
25 binding to the developer. If this application passes, Mr. Brimhall could not change his plan and  
26 build all minimum sized lots. If he desired to make a change he would have to come before the  
27 Planning Commission again for an amendment.

28  
29 There were no further public comments. Vice Chair Adams closed the public hearing.

30  
31 Vice Chair Adams addressed Mr. Van Orman's comment about the Commission acting as a  
32 mediator and stated that this was not the Commission's purpose. It is unfortunate when there has  
33 not been a lot of communication among the neighbors, but this is not something the Planning  
34 Commission was asked to do. The Commissioners consider all comments made during the  
35 public session but are obligated to follow the laws that bind them as a Commission.

36  
37 **MOTION:** Commissioner Richards moved that the Planning Commission APPROVE the  
38 proposed 23-lot preliminary subdivision called Mahogany View Plat A located at approximately  
39 1640 North 300 East, in the R1-12 (Single Family Residential) Zone; and adopt the exhibits,  
40 conditions, and findings contained in the staff report and as modified by the following condition:

- 41  
42 1. All Final Planning, Engineering, and Fire Department requirements shall be met.

43  
44 Commissioner Coombs seconded the motion. The Commissioners unanimously voted "Aye".  
45 The motion carried. Commissioner Nelson was not present for the vote.

1 **ITEM 7** Public Hearing to consider a two-lot subdivision called Jack Hill Plat B being  
2 approximately 1.02 acres on property located at approximately 766 East 100 South in the R1-10  
3 (Single Family Residential) Zone. **SCRATCH GRAVEL NEIGHBORHOOD** *\*Continued to*  
4 *the June 11, 2015 Meeting.*

5  
6 **ITEM 8** Public Hearing to consider an eight-lot subdivision called Honeysuckle Estates being  
7 approximately .66 acres in size comprising two lots located within Pleasant Grove City on  
8 property located at approximately 975 South Locust Avenue in R1-9 (Single Family Residential)  
9 Zone. **SCRATCH GRAVEL NEIGHBORHOOD** *\*Continued to the June 11, 2015 Meeting.*

10  
11 **ITEM 9** Public hearing to consider a one-lot subdivision called Olayan being approximately 0.5  
12 acres in size on property located at approximately 1246 North 500 East in the R1-15 (Single-  
13 Family Residential) Zone. **BIG SPRINGS NEIGHBORHOOD.**

14  
15 Mr. Davies presented the staff report and stated that the property has had issues with street and  
16 sewer requirements previously. The current owners would like to attempt to solve these issues  
17 now and applied for a one-lot subdivision, which would create one lot and dedicate a portion for  
18 the public road. Sewer connections and other utility improvements will be required upon  
19 approval of the subdivision application. It was confirmed that the applicant was not present.

20  
21 Vice Chair Adams opened the public hearing.

22  
23 Joy Birch gave her address as 1270 North 580 East and expressed concern with where the road  
24 will eventually connect. She preferred to see the road connect to either 500 East or 1100 North  
25 rather than run through the subdivision.

26  
27 Sasha Welcker, who resides at 556 East 1300 North, was concerned that they had already been  
28 before the Planning Commission on this issue and she was confused as to why the applicant was  
29 making a request for a one-lot subdivision. Mr. Davies explained that the applicant is seeking to  
30 take the main property and another sliver of property and combine them into one lot, while  
31 providing a triangle shaped piece to allow for road deviation.

32  
33 Mr. Davies added that previously the property had been subjected to a zone change, as the lot  
34 would not be large enough to meet the requirements of the RR Zone once a section of it was  
35 dedicated to the public roadway. The property was rezoned R1-20 to allow for this subdivision.  
36 Mr. Davies also stated that the previous owner did not complete their application, which  
37 eventually expired. For that reason the owner had to submit a new application.

38  
39 Mrs. Welcker commented that she also shares the same concern as Mrs. Birch with the path of  
40 the roadway.

41  
42 Jeff Thorn, who resides at 555 East 1100 North, addressed his concern regarding the potential  
43 path of the road. He stated that he has no interest in subdividing his property in the area in the  
44 near future. Mr. Thorn stated that his late grandmother was promised by the City of the  
45 developers to grant her access to their back lot, so he was interested in having access there.

1 Commissioner Richards commented that a property owner could not be forced to develop, and  
2 Mr. Thorn would only be required to install improvements if or when he chose to develop his  
3 land.

4  
5 There was further discussion regarding the rights of the City and the property owners with regard  
6 to the installation of a public street.

7  
8 Lance Newman gave his address as 1210 North 500 East and stated that his concerns lay with the  
9 water runoff from the area if the road remained unfinished with regard to sewage. Engineer  
10 Lewis stated that there was a drain at the end of the street currently and there is a plan that will  
11 be implemented to join into that.

12  
13 There were no further comments. Vice Chair Adams closed the public hearing.

14  
15 There was discussion between the Commission and staff regarding the potential of the road and  
16 the intention to provide access to properties that would otherwise be landlocked.

17  
18 **MOTION:** Commissioner Richards moved that the Planning Commission approve the proposed  
19 one-lot subdivision called Olayan located at approximately 1246 North 500 East in the R1-20  
20 (Single Family Residential) Zone; and adopt the exhibits, conditions, and findings contained in  
21 the staff report. Commissioner Cardon seconded the motion. The Commissioners unanimously  
22 voted "Aye". The motion passed. Commissioner Nelson was not present for the vote.

23  
24 **Item 10** Discussion and recommendations regarding accessory apartment regulation issues.

25  
26 **MOTION:** Commissioner Cardon moved that the Planning Commission CONTINUE the  
27 discussion regarding accessory apartments to the June 11, 2015 Meeting. Commissioner  
28 Coombs seconded the motion. The Commissioners unanimously voted "Aye". The motion  
29 carried. Commissioner Nelson was not present for the vote.

30  
31 **Review and approve the Minutes and Report of Actions from the following meetings:**  
32 **Planning Commission Meeting Minutes for May 14, 2015.**

33  
34 **MOTION:** Commissioner Richards moved to APPROVE the Planning Commission Meeting  
35 Minutes of May 14, 2015. Commissioner Cardon seconded the motion. The Commissioners  
36 unanimously voted "Aye". The motion carried. Commissioner Nelson was not present for the  
37 vote.

38  
39 **MOTION:** Commissioner Richards moved to adjourn. Commissioner Coombs seconded the  
40 motion. The Commissioners unanimously voted "Aye". The motion carried. Commissioner  
41 Nelson was not present for the vote.

1 The meeting adjourned at 9:52 p.m.

2  
3  
4 \_\_\_\_\_  
5 Planning Commission Chair

6  
7 \_\_\_\_\_  
8 Barbara Johnson, Planning Tech

9  
10 \_\_\_\_\_  
11 Date Approved

12 \_\_\_\_\_  
13 \_\_\_\_\_